

ORDINANCE NO. 98 - 39

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **COUNTY INITIATED AMENDMENT 98-71 RES 1 (POINTE IN THE WOODS)**, MODIFYING PAGE 71 OF THE FLUA BY CHANGING A 5.47 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF PURDY LANE APPROXIMATELY 0.4 OF A MILE WEST OF HAVERHILL ROAD FROM MEDIUM RESIDENTIAL 5 (MR-5) TO HIGH RESIDENTIAL 8 (HR-8); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 13, 20 and 27, 1998 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 30, 1998 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed

1 amendments to the Department of Community Affairs for review and
2 comment pursuant to Chapter 163, Part II, Florida Statutes; and

3 **WHEREAS**, Palm Beach County received on June 16, 1998, the
4 Department of Community Affairs "Objections, Recommendations, and
5 Comments Report," dated June 12, 1998, which was the Department's
6 written review of the proposed Comprehensive Plan amendments; and

7 **WHEREAS**, on September 16, 1998, the Palm Beach County Board of
8 County Commissioners held a public hearing to review the written
9 comments submitted by the Department of Community Affairs and to
10 consider adoption of the amendments; and

11 **WHEREAS**, the Palm Beach County Board of County Commissioners has
12 determined that the amendments as modified satisfy the concerns
13 addressed in the Department of Community Affairs' "Objections,
14 Recommendations and Comments Report" and comply with all requirements
15 of the Local Government Comprehensive Planning and Land Development
16 Regulations Act.

17 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
18 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

19 **Part I. Amendments to the Future Land Use Atlas of the Land Use**
20 **Element of the 1989 Comprehensive Plan**

21 The following amendment to the Land Use Element's Future Land Use
22 Atlas is hereby adopted and is attached to this Ordinance:

23 **A. Future Land Use Atlas page 71 is amended as follows:**

24 **Application No.: 98-71 RES 1 (Pointe in the Woods)**

25 **Amendment:** From Medium Residential 5 (MR-5) to High
26 Residential 8 (HR-8);

27 **General Location:** South side of Purdy Lane approximately 0.4
28 of a mile west of Haverhill Road;

29 **Size:** 5.47 acre.

30 **Part II. Repeal of Laws in Conflict**

31 All local laws and ordinances applying to the unincorporated area

1 of Palm Beach County in conflict with any provision of this ordinance
2 are hereby repealed to the extent of such conflict.

3 **Part III. Severability**

4 If any section, paragraph, sentence, clause, phrase, or word of
5 this Ordinance is for any reason held by the Court to be
6 unconstitutional, inoperative or void, such holding shall not affect
7 the remainder of this Ordinance.

8 **Part IV. Inclusion in the 1989 Comprehensive Plan**

9 The provision of this Ordinance shall become and be made a part
10 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
11 Ordinance may be renumbered or relettered to accomplish such, and the
12 word "ordinance" may be changed to "section," "article," or any other
13 appropriate word.

14 **Part V. Effective Date**

15 The effective date of this plan amendment shall be the date a
16 final order is issued by the Department of Community Affairs or
17 Administration Commission finding the amendment in compliance in
18 accordance with Section 163.3184, Florida Statutes, whichever occurs
19 earlier. No development orders, development permits, or land uses
20 dependent on this amendment may be issued or commence before it has
21 become effective. If a final order of noncompliance is issued by the
22 Administration Commission, this amendment may nevertheless be made
23 effective by adoption of a resolution affirming its effective status

1 a copy of which resolutions shall be sent to the Department of
2 Community Affairs, Bureau of Local Planning, 2740 Centerview Drive,
3 Tallahassee, Florida 32399-2100. **APPROVED AND ADOPTED** by the Board
4 of County Commissioners of Palm Beach County, on the 16 day of
5 September, 1998.

6 ATTEST:
7 DOROTHY H. WILKEN, Clerk

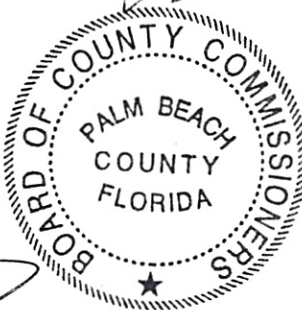
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

8 By: Joan Wilken
9 Deputy Clerk

By: [Signature]
Chair

10 APPROVED AS TO FORM AND
11 LEGAL SUFFICIENCY

12 [Signature]
13 COUNTY ATTORNEY



14 Filed with the Department of State on the 28th day
15 of September, 1998.

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EXHIBIT 1

A. Future Land Use Atlas page 71 is amended as follows:

Amendment No.: 98-71 RES 1 (POINTE IN THE WOODS)

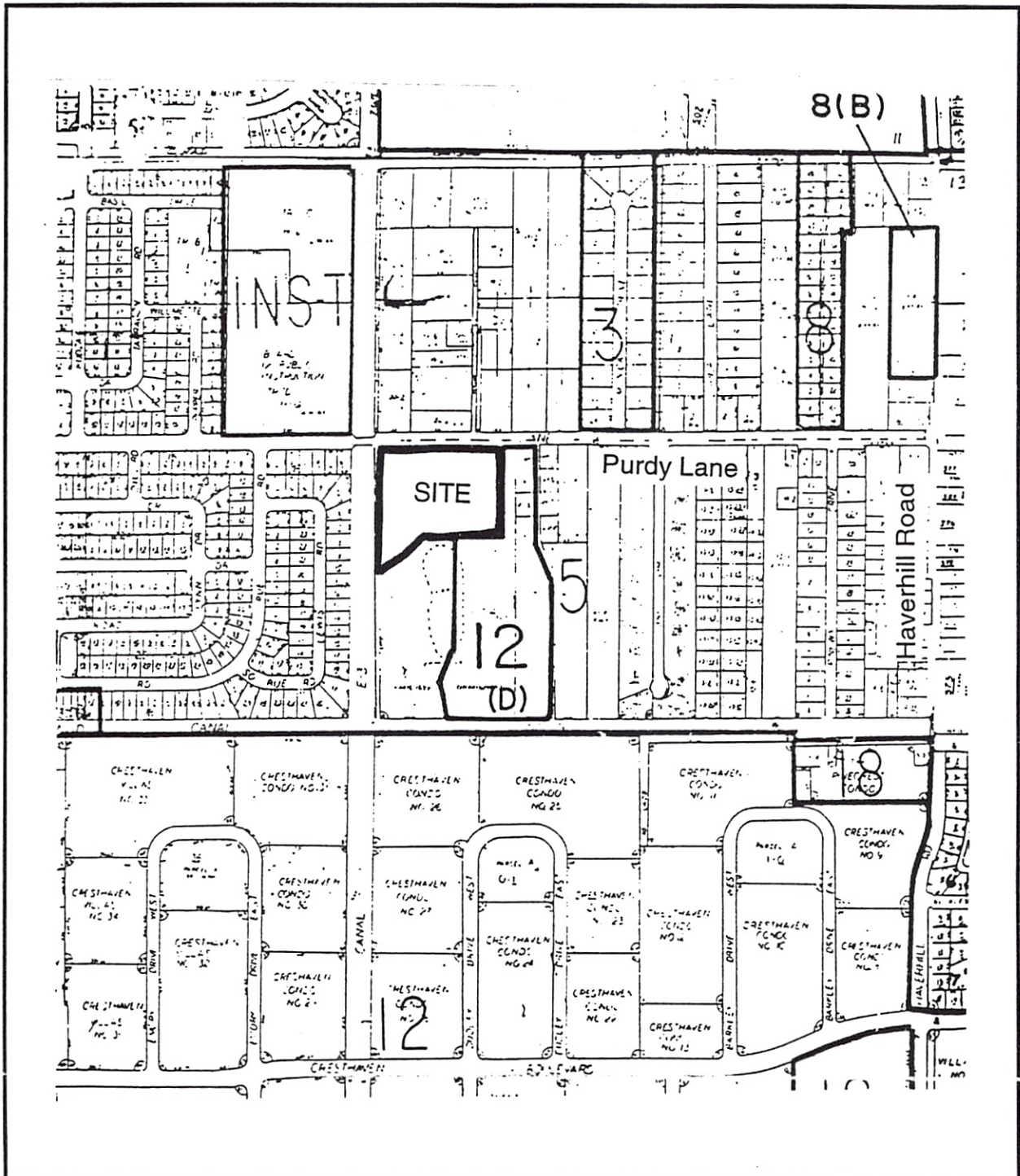
Location: Approximately 0.40 mile west of Haverhill Road on the south side of Purdy Lane

Size: 5.47 acres

Original FLU: Medium Residential, 5 units per acre (MR-5)

Adopted FLU: High Residential, 8 units per acre (HR-8)

Property No.: 00-42-44-14-05-021-0010



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FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (<u>Palm Beach</u>)	COUNTY ORDINANCE # (<u>98-39</u>) <small>(e.g., 83-001)</small>
PRIMARY KEYFIELD DESCRIPTOR: (<u>Comprehensive Planning</u>)	
SECONDARY KEYFIELD DESCRIPTOR: (<u>Land Use Planning</u>)	
OTHER KEYFIELD DESCRIPTOR: (_____)	
ORDINANCE DESCRIPTION: (<u>Land use MAP Amendment</u>) <small>(25 characters maximum including spaces)</small>	
ORDINANCES AMENDED: <small>(List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)</small>	
AMENDMENT # 1: (<u>89-17</u>); AMENDMENT # 2: (_____)	
ORDINANCES REPEALED: <small>(List below the ordinances that are repealed by this legislation.)</small>	
REPEAL # 1: (_____); REPEAL # 3: (_____);	
REPEAL # 2: (_____); REPEAL # 4: (_____);	
<small>(Others repealed: list all that apply):</small> _____	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: (_____)
KEYFIELD 1 CODE: (_____)	KEYFIELD 2 CODE: (_____)
KEYFIELD 3 CODE: (_____)	<small>Rev. 8/28/88</small>